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9 *Attorneys for Plaintiff*

10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 HUNTER KERHART, an individual,
13 Plaintiff,
14 v.

Case No.

PLAINTIFF'S COMPLAINT FOR
COPYRIGHT INFRINGEMENT

Jury Trial Demanded

15 INTERIOR ILLUSIONS,
16 INCORPORATED, a California
17 Corporation; and DOES 1-10,
18 Defendants.

19
20 Plaintiff Hunter Kerhart, through counsel, hereby prays to this Court for
21 relief based on the following:


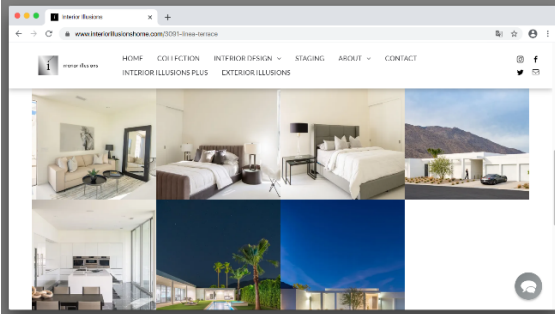
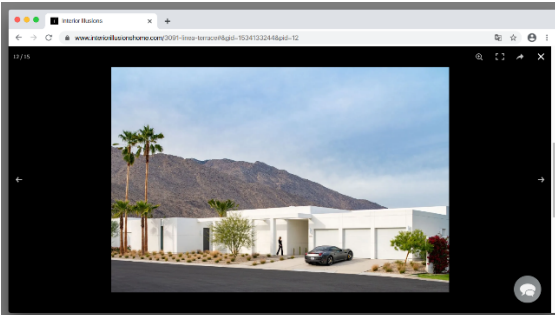
22 **JURISDICTION AND VENUE**

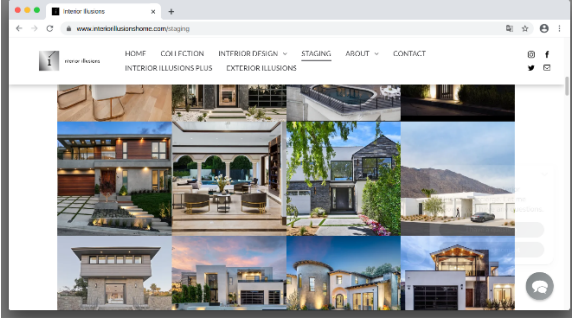

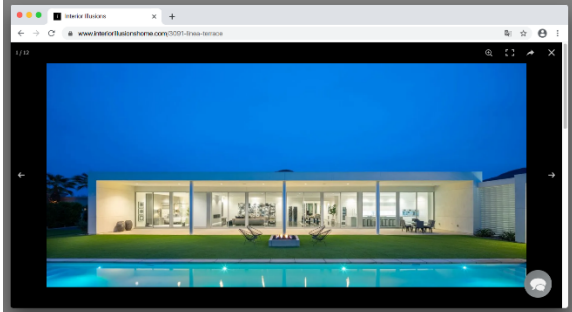
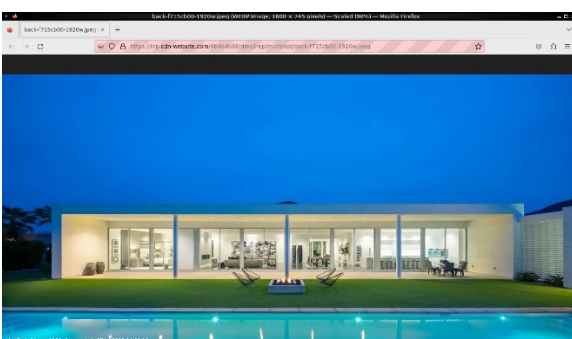
23 1. This action arises under the Copyright Act of 1976, 17 U.S.C. § 101, *et*
24 *seq.*

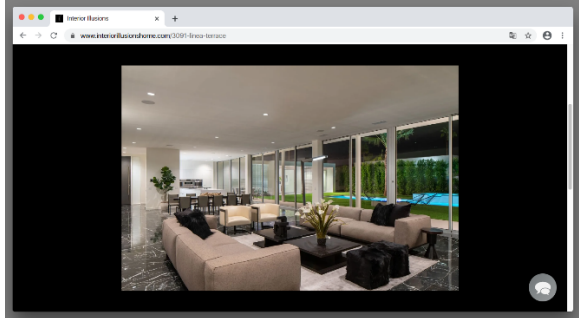
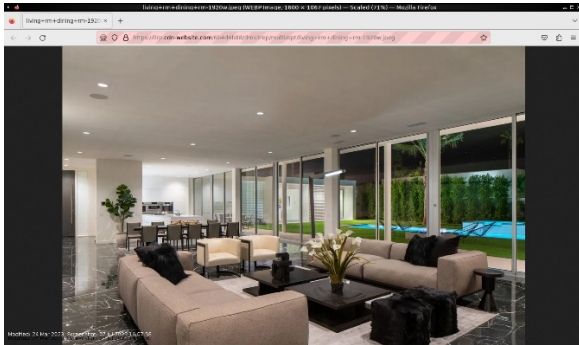
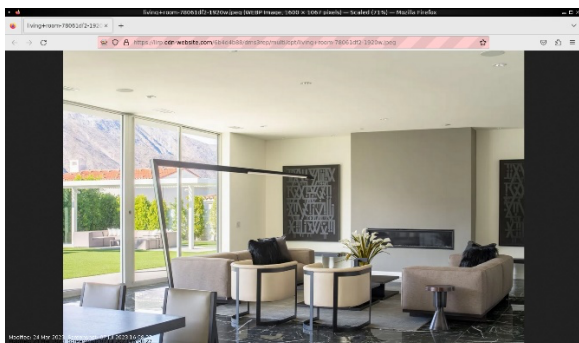
25 2. This Court has federal question jurisdiction under 28 U.S.C. §§ 1331,
26 1338(a)-(b).

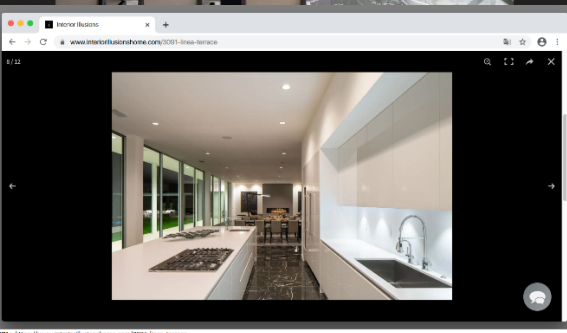
(For Copyright Infringement – Against All Defendants, and Each)

9. Following the publication and display of the Subject Photographs, Defendants (and each of them) stored, displayed, created derivative works of, distributed, and/or otherwise exploited verbatim copies of the Subject Photographs on Defendants' Website for commercial purposes without Kerhart's permission (collectively, the "Accused Posts").


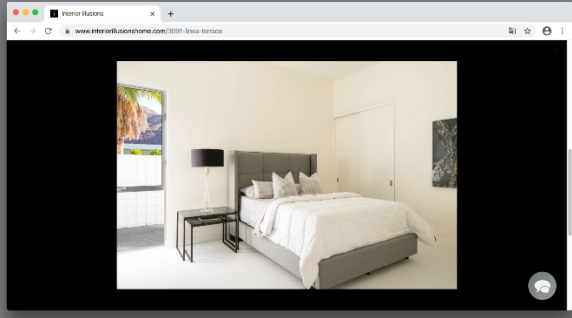
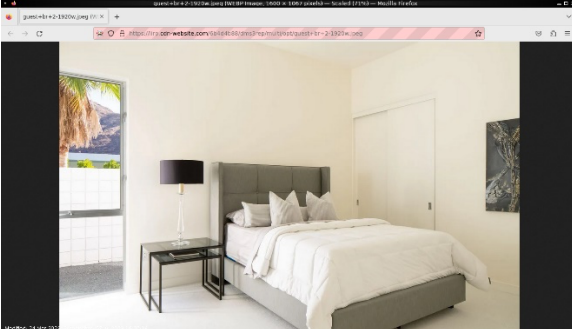

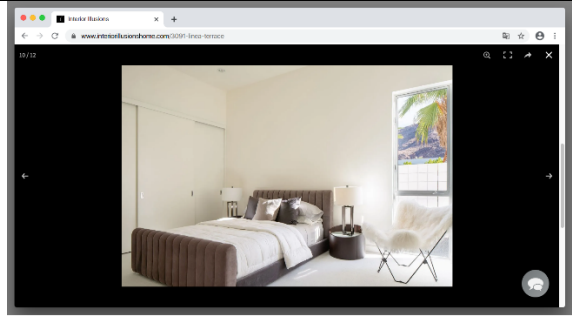
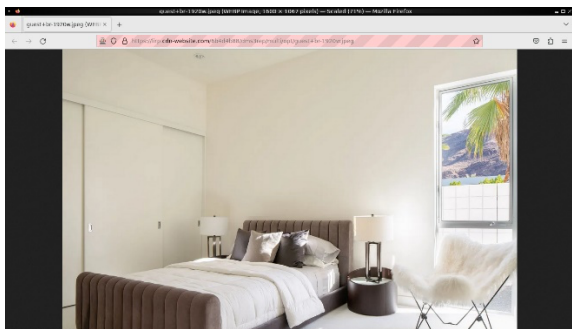
Subject Photographs	Accused Posts
<p>1.</p>  <p>Linea-Lot-5-05</p>	 <p>URL: https://www.interiorillusions.com/2091-linea-lot-5-05-terrace Screenshot Taken: 2023-03-24 10:30 (Screenshot) Case ID: CA-120179 URL ID: 67050202 IP Address: Client '96.16.50.91' contacted server 'www.interiorillusions.com' at '18.103.26.127'.</p>  <p>URL: https://www.interiorillusions.com/2091-linea-lot-5-05-terrace?pgid=1204122244&id=12 Screenshot Taken: 2023-03-24 10:31 (Screenshot) Case ID: CA-120179 URL ID: 67050202 IP Address: Client '96.16.50.91' contacted server 'www.interiorillusions.com' at '18.103.26.127'.</p>

	Subject Photographs	Accused Posts
		 <p>URL: https://www.interiorillusionshome.com/staging Screenshot Taken: 2/22/23 21:42:28 (Google Chrome) Case ID: CAS 126178 URL ID: UID-3078320 IP Address: Client "66.11.10.12" contacted server "www.interiorillusionshome.com" at "28.03.26.22".</p>  <p>WhatsApp Chat: https://api.whatsapp.com/messages?source=chat_history Media: 14 Feb 2023, Screen shot: 23 Aug 2023 22:36:50</p>
2.	 <p>Linea-Lot-5-16</p>	 <p>URL: https://www.interiorillusionshome.com/2001-new-frame Screenshot Taken: 2023 07 18 25 (Firefox) HTML Updated: "www.interiorillusionshome.com" reports "17/07/2023 18:25:31". Case ID: CAS 126178 URL ID: UID-3078320 IP Address: Client "66.11.10.12" contacted server "www.interiorillusionshome.com" at "23.07.25.20".</p>  <p>WhatsApp Chat: https://api.whatsapp.com/messages?source=chat_history Media: 14 Feb 2023, Screen shot: 23 Aug 2023 22:36:50</p>

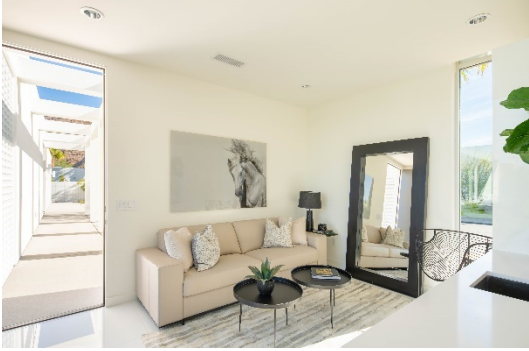
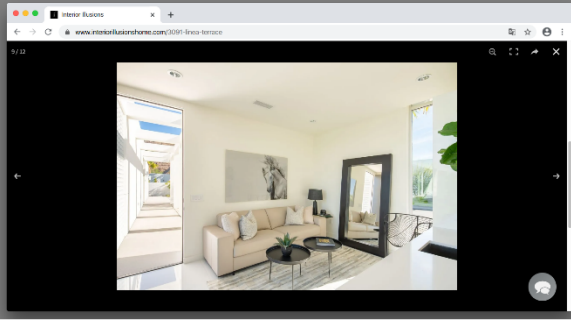
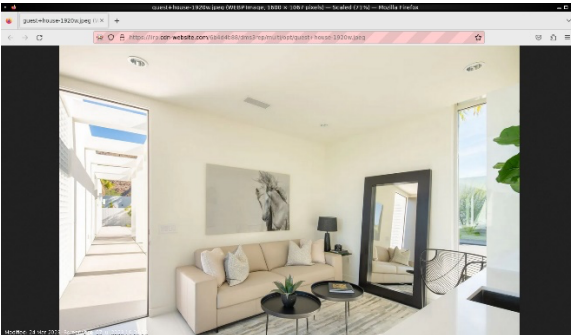
	Subject Photographs	Accused Posts
3.	 <p data-bbox="423 558 659 600">Linea-Lot-5-23</p>	 <p data-bbox="837 520 1412 558">URL: https://www.instagram.com/p/2051... Screenshot taken: 2023-07-27 18:32:21... Case ID: CAS-120176 URL ID: UID-205176 IP Address: Client: '10.1.1.1' contacted server: 'www.instagram.com' at '18.130.36.127'.</p>  <p data-bbox="837 932 1412 970">URL: https://www.facebook.com/2051... Screenshot taken: 2023-07-27 18:32:21... Case ID: CAS-120176 URL ID: UID-205176 IP Address: Client: '10.1.1.1' contacted server: 'www.facebook.com' at '18.130.36.127'.</p>
4.	 <p data-bbox="423 1285 659 1327">Linea-Lot-5-25</p>	 <p data-bbox="837 1247 1412 1285">URL: https://www.instagram.com/p/2051... Screenshot taken: 2023-07-27 18:32:21... Case ID: CAS-120176 URL ID: UID-205176 IP Address: Client: '10.1.1.1' contacted server: 'www.instagram.com' at '18.130.36.127'.</p>  <p data-bbox="837 1659 1412 1696">URL: https://www.facebook.com/2051... Screenshot taken: 2023-07-27 18:32:21... Case ID: CAS-120176 URL ID: UID-205176 IP Address: Client: '10.1.1.1' contacted server: 'www.facebook.com' at '18.130.36.127'.</p>

	Subject Photographs	Accused Posts
5.	 <p data-bbox="430 556 657 598">Linea-Lot-5-30</p>	 <p data-bbox="846 514 1409 556">URL: https://www.instagram.com/p/C500f4nqz-fermce Screenshot Taken: 2023-07-07 15:35 (Paw/Paw) HTML Updated: "www.instagram.com" reports "10/07/2023 15:35:01" Case ID: CAS-120578 URL ID: URL-08075537 IP Address: Client "10.127.0.128" contacted server "www.instagram.com" at "7.127.75.207".</p>  <p data-bbox="846 919 1409 961">URL: https://www.instagram.com/p/C500f4nqz-fermce Screenshot Taken: 2023-07-07 15:35 (Paw/Paw) HTML Updated: "www.instagram.com" reports "10/07/2023 15:35:01" Case ID: CAS-120578 URL ID: URL-08075537 IP Address: Client "10.127.0.128" contacted server "www.instagram.com" at "7.127.75.207".</p>
6.	 <p data-bbox="430 1270 657 1312">Linea-Lot-5-33</p>	 <p data-bbox="846 1249 1409 1291">URL: https://www.instagram.com/p/C500f4nqz-fermce Screenshot Taken: 2023-07-07 15:35 (Paw/Paw) HTML Updated: "www.instagram.com" reports "10/07/2023 15:35:01" Case ID: CAS-120578 URL ID: URL-08075537 IP Address: Client "10.127.0.128" contacted server "www.instagram.com" at "7.127.75.207".</p>  <p data-bbox="846 1656 1409 1698">URL: https://www.instagram.com/p/C500f4nqz-fermce Screenshot Taken: 2023-07-07 15:35 (Paw/Paw) HTML Updated: "www.instagram.com" reports "10/07/2023 15:35:01" Case ID: CAS-120578 URL ID: URL-08075537 IP Address: Client "10.127.0.128" contacted server "www.instagram.com" at "7.127.75.207".</p>

7
COMPLAINT

	Subject Photographs	Accused Posts
9.	 <p data-bbox="423 556 657 598">Linea-Lot-5-39</p>	 <p data-bbox="841 525 1409 556">URL: https://www.instagram.com/2091-franc-ferraco Screenshot Taken: 2023-01-02 10:20 (Europe/Paris) HTML Update: https://www.instagram.com/2091-franc-ferraco IP Address: Client: '95.131.6.128' connected server 'www.instagram.com' at '73.127.75.207'</p>  <p data-bbox="841 924 1409 955">URL: https://www.instagram.com/2091-franc-ferraco Screenshot Taken: 2023-01-02 10:20 (Europe/Paris) HTML Update: https://www.instagram.com/2091-franc-ferraco IP Address: Client: '95.131.6.128' connected server 'www.instagram.com' at '73.127.75.207'</p>
10.	 <p data-bbox="423 1285 657 1327">Linea-Lot-5-41</p>	 <p data-bbox="841 1249 1409 1281">URL: https://www.instagram.com/2091-franc-ferraco Screenshot Taken: 2023-01-02 10:20 (Europe/Paris) HTML Update: https://www.instagram.com/2091-franc-ferraco IP Address: Client: '95.131.6.128' connected server 'www.instagram.com' at '73.127.75.207'</p>  <p data-bbox="841 1638 1409 1669">URL: https://www.instagram.com/2091-franc-ferraco Screenshot Taken: 2023-01-02 10:20 (Europe/Paris) HTML Update: https://www.instagram.com/2091-franc-ferraco IP Address: Client: '95.131.6.128' connected server 'www.instagram.com' at '73.127.75.207'</p>

9
COMPLAINT

	Subject Photographs	Accused Posts
13.	 <p data-bbox="427 562 659 598">Linea-Lot-5-56</p>	 

11. Defendants, and each of them, had access to the Subject Photographs, including through a Multiple Listing Service (“MLS”), a real estate listing aggregator website (e.g., redfin.com, realtor.com, zillow.com), Plaintiff’s website, an authorized licensee of Plaintiff’s, an Internet search engine, or another third-party website; and because the Accused Posts are verbatim copies of, and thus strikingly similar to, the Subject Photographs.

12. Defendants, and each of them, stored, copied, displayed, created derivative works of, distributed, and/or otherwise exploited verbatim copies of the Subject Photographs on Defendants’ Website for commercial purposes without Kerhart’s permission.

13. Due to Defendants’ acts of copyright infringement, Plaintiff has suffered damages in an amount to be established at trial.

14. Due to Defendants’ acts of copyright infringement, Defendants, and each of them, have obtained profits they would not have realized but for their infringement of Plaintiff’s copyrights in the Subject Photographs. This entitles

1 Plaintiff to disgorgement of Defendants' profits attributable to Defendants'
2 infringement of Plaintiff's copyrights in the Subject Photographs in an amount to
3 be established at trial.

4 15. Upon information and belief, Plaintiff alleges that Defendants, and
5 each of them, have committed copyright infringement with actual or constructive
6 knowledge of, or in reckless disregard or willful blindness for, Plaintiff's rights,
7 such that said acts of copyright infringement were willful.

8 **PRAYER FOR RELIEF**

9 WHEREFORE, Plaintiff prays for judgment as follows against all
10 Defendants and with respect to each claim for relief:

- 11 a. That Defendants be enjoined from using the Subject Photographs in
12 any manner that infringes Plaintiff's copyrights in the same;
13 b. That Plaintiff be awarded Defendants' profits, plus Plaintiff's losses,
14 attributable to Defendants' infringements of Plaintiff's copyrights in
15 the Subject Photographs, the exact sum to be proven at the time of
16 trial; or, if elected, statutory damages under 17 U.S.C. § 504;
17 c. That Plaintiff be awarded its costs and fees under 17 U.S.C. § 505;
18 d. That Plaintiff be awarded pre-judgment interest as allowed by law;
19 e. That Plaintiff be awarded such relief as the Court deems proper.

20 Plaintiff demands a jury trial on all issues so triable pursuant to Fed. R. Civ.
21 P. 38 and the 7th Amendment to the United States Constitution.

22
23 Dated: February 9, 2024

DONIGER / BURROUGHS

24 By: /s/ Stephen M. Doniger

25 Stephen M. Doniger, Esq.
26 Benjamin F. Tookey, Esq.
27 Attorneys for Plaintiff
28